ESTTA Tracking number:

ESTTA505416 11/14/2012

Filing date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91201482
Party	Plaintiff Viking Range Corporation
Correspondence Address	SARAH ANNE KEEFE WOMBLE CARLYLE SANDRIDGE & RICE LLP 271 17TH STREET NW, SUITE 2400 ATLANTA, GA 30363-1017 UNITED STATES atltrademarks@wcsr.com, msperry@wcsr.com, lechols@wcsr.com
Submission	Withdrawal of Opposition
Filer's Name	Marcy L. Sperry
Filer's e-mail	msperry@wcsr.com
Signature	/Marcy L. Sperry/
Date	11/14/2012
Attachments	Amendments.pdf (14 pages)(564824 bytes)

EXHIBIT F

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/276,774 Trademark: VIKING LONGSHIPS

Viking Range Corporation,

Opposition No. 91201512

Opposer,

Consolidated Opposition No. 91201482 (parent

case)

٧.

Mark: VIKING LONGSHIPS

Viking River Cruises (Bermuda) Ltd., Applicant.

Serial No. 85/276,774

AMENDMENT OF APPLICATION WITH CONSENT AND CONDITIONAL AGREEMENT TO WITHDRAWAL OF OPPOSITION

Pursuant to 37 C.F.R. § 2.133 and T.B.M.P. § 514.02, Applicant, Viking River Cruises (Bermuda) Ltd., hereby amends the services in International Class 41 of the application as follows, by deleting the following text: "wine and food tastings" and "cooking classes, and". The entire description upon amendment should therefore read:

> "Arranging, organizing and hosting social entertainment events; entertainment and education services in the nature of live dance and musical performances; entertainment information; entertainment services, namely, organizing and conducting parties, contests, stage shows, nightclub shows, variety and comedy shows, and theatrical productions and musicals; entertainment services, namely, casino gaming; educational services, namely, conducting lectures and seminars in the fields of music, theatre, and film; video arcade services; libraries; in-cabin interactive television programming; health club services, namely, providing instruction, classes, and equipment in the field of physical exercise; organizing and hosting cultural and arts events; organization of exhibitions for cultural or educational purposes"

As reflected by the signature of Opposer's counsel below. Opposer consents to this amendment.

Applicant submits that the foregoing amendment does not add services to or broaden the scope of the services listed in the application, but instead narrows them. As such, neither republication of the mark nor further examination of the mark is required as a result of this amendment. Accordingly, Applicant respectfully requests that the Board approve the amendment without republication of the mark.

As reflected by the signature of Opposer's counsel below, Opposer hereby withdraws its opposition to the subject application, conditioned, however, on the acceptance and entry of the foregoing amendment or an amendment with substantially similar wording which is required by and acceptable to the Board.

WHEREFORE, Applicant and Opposer move that the subject application be amended as stated herein and that the opposition be dismissed with prejudice.

Respectfully submitted,

Marcy L. Sperry

Womble Carlyle Sandridge & Rice LLP 271 17th Street NW, Suite 2400

Atlanta, GA 30363-1017

Email: atltrademarks@wcsr.com,

msperry@wcsr.com

Attorney for Opposer, VIKING RANGE CORPORATION

Date 11/14/2012

Beth M. Goldman

Ofrick, Herrington & Sutcliffe LLP

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San Francisco, CA 94105-2669 Email: ipprosecutionsf@orrick.com

Attorney for Applicant,

VIKING RIVER CRUISES (BERMUDA)

LTD.

Date

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EXHIBIT G

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/133,778 Trademark: VIKING RIVER CRUISES

Viking Range Corporation,

٧.

Opposition No. 91201502

Opposer,

Consolidated Opposition No. 91201482 (parent

Viking River Cruises (Bermuda) Ltd., Applicant.

Mark: VIKING RIVER CRUISES

Serial No. 85/133,778

AMENDMENT OF APPLICATION WITH CONSENT AND CONDITIONAL AGREEMENT TO WITHDRAWAL OF OPPOSITION

Pursuant to 37 C.F.R. § 2.133 and T.B.M.P. § 514.02, Applicant, Viking River Cruises (Bermuda) Ltd., hereby amends the services in International Class 41 of the application as follows, by deleting the following text: "wine and food tastings." The entire description upon amendment should therefore read:

> "Arranging, organizing and hosting social entertainment events; entertainment and education services in the nature of live dance and musical performances; entertainment information; entertainment services, namely, organizing and conducting parties, contests, live stage performances, namely, plays, concerts, piano recitals, vocal recitals, comedy shows, monologue performances, poetry and narrative readings, nightclub shows, namely, plays, concerts, piano recitals, vocal recitals, comedy shows, monologue performances, poetry and narrative readings, variety and comedy shows, and theatrical and musical floor shows provided at performance venues; entertainment services, namely, casino gaming; educational services, namely, conducting lectures and seminars in the fields of music, theatre, and film; video arcade services; libraries; provision of in-cabin interactive television programming; health club services, namely providing instruction, classes, and equipment in the field of physical exercise; organizing and hosting cultural and arts events; organization of exhibitions for cultural or educational purposes"

As reflected by the signature of Opposer's counsel below. Opposer consents to this amendment.

Applicant submits that the foregoing amendment does not add services to or broaden the scope of the services listed in the application, but instead narrows them. As such, neither republication of the mark nor further examination of the mark is required as a result of this amendment. Accordingly, Applicant respectfully requests that the Board approve the amendment without republication of the mark.

As reflected by the signature of Opposer's counsel below, Opposer hereby withdraws its opposition to the subject application, conditioned, however, on the acceptance and entry of the foregoing amendment or an amendment with substantially similar wording which is required by and acceptable to the Board.

WHEREFORE, Applicant and Opposer move that the subject application be amended as stated herein and that the opposition be dismissed with prejudice.

Respectfully submitted,

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Date 11/14/2012

VIKING RANGE CORPORATION

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Orrick, Herrington & Sutcliffe LLP

Attorney for Applicant,

VIKING RIVER CRUISES (BERMUDA)

EXHIBIT H

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/136,505 Trademark: VIKING RIVER CRUISES & Design

Viking Range Corporation,

Opposition No. 91201504

Opposer,

Consolidated Opposition No. 91201482 (parent case)

٧.

Mark: VIKING RIVER CRUISES & Design

Viking River Cruises (Bermuda) Ltd., Applicant.

Serial No. 85/136,505

AMENDMENT OF APPLICATION WITH CONSENT AND CONDITIONAL AGREEMENT TO WITHDRAWAL OF OPPOSITION

Pursuant to 37 C.F.R. § 2.133 and T.B.M.P. § 514.02, Applicant, Viking River Cruises (Bermuda) Ltd., hereby amends the services in International Class 41 of the application as follows, by deleting the following text: "wine and food tastings." The entire description upon amendment should therefore read:

> "Arranging, organizing and hosting social entertainment events; entertainment and education services in the nature of live dance and musical performances; entertainment information; entertainment services, namely, organizing and conducting parties, contests, live stage performances, namely, plays, concerts, piano recitals, vocal recitals, comedy shows, monologue performances, poetry and narrative readings, nightclub shows, namely, plays, concerts, piano recitals, vocal recitals, comedy shows, monologue performances, poetry and narrative readings, variety and comedy shows, and theatrical and musical floor shows provided at performance venues; entertainment services, namely, casino gaming; educational services, namely, conducting lectures and seminars in the fields of music, theatre, and film; video arcade services; libraries; provision of in-cabin interactive television programming; health club services, namely, providing instruction, classes, and equipment in the field of physical exercise; organizing and hosting cultural and arts events; organization of exhibitions for cultural or educational purposes"

As reflected by the signature of Opposer's counsel below. Opposer consents to this amendment.

Applicant submits that the foregoing amendment does not add services to or broaden the scope of the services listed in the application, but instead narrows them. As such, neither republication of the mark nor further examination of the mark is required as a result of this amendment. Accordingly, Applicant respectfully requests that the Board approve the amendment without republication of the mark.

As reflected by the signature of Opposer's counsel below. Opposer hereby withdraws its opposition to the subject application, conditioned, however, on the acceptance and entry of the foregoing amendment or an amendment with substantially similar wording which is required by and acceptable to the Board.

WHEREFORE, Applicant and Opposer move that the subject application be amended as stated herein and that the opposition be dismissed with prejudice.

Respectfully submitted,

Marcy L. Sperry

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Attorney for Opposer,
VIKING RANGE CORPORATION

Date 11/14/2012

Beth M. Goldman

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405 Howard Street

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Attorney for Applicant,

VIKING RIVER CRUISES (BERMUDA)

LTD.

Date

. 11/13/

EXHIBIT I

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/136,757 Trademark: VIKING RIVER CRUISES EXPLORING THE WORLD IN COMFORT & Design

Viking Range Corporation, Opposer,

Opposition No. 91201501

Consolidated Opposition No. 91201482 (parent

٧,

Mark: VIKING RIVER CRUISES EXPLORING THE WORLD IN COMFORT & Design

Viking River Cruises (Bermuda) Ltd., Applicant.

Serial No. 85/136,757

AMENDMENT OF APPLICATION WITH CONSENT AND CONDITIONAL AGREEMENT TO WITHDRAWAL OF OPPOSITION

Pursuant to 37 C.F.R. § 2.133 and T.B.M.P. § 514.02, Applicant, Viking River Cruises (Bermuda) Ltd., hereby amends the services in International Class 41 of the application as follows, by deleting the following text: "wine and food tastings" and "cooking classes, and". The entire description upon amendment should therefore read:

> "Arranging, organizing and hosting social entertainment events; entertainment and education services in the nature of live dance and musical performances; entertainment information; entertainment services, namely, organizing and conducting parties, contests, stage shows, nightclub shows, variety and comedy shows, and theatrical productions and musicals; entertainment services, namely, casino gaming; educational services, namely, conducting lectures and seminars in the fields of music, theatre, and film; video arcade services; libraries; in-cabin interactive television programming; health club services, namely, providing instruction, classes, and equipment in the field of physical exercise; organizing and hosting cultural and arts events; organization of exhibitions for cultural or educational purposes"

As reflected by the signature of Opposer's counsel below. Opposer consents to this amendment.

Applicant submits that the foregoing amendment does not add services to or broaden the scope of the services listed in the application, but instead narrows them. As such, neither republication of the mark nor further examination of the mark is required as a result of this amendment. Accordingly, Applicant respectfully requests that the Board approve the amendment without republication of the mark.

As reflected by the signature of Opposer's counsel below, Opposer hereby withdraws its opposition to the subject application, conditioned, however, on the acceptance and entry of the foregoing amendment or an amendment with substantially similar wording which is required by and acceptable to the Board.

WHEREFORE, Applicant and Opposer move that the subject application be amended as stated herein and that the opposition be dismissed with prejudice.

Respectfully submitted,

	. Sperry	

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Attorney for Opposer, VIKING RANGE CORPORATION

Date 11/14/2012

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Attorney for Applicant,

VIKING RIVER CRUISES (BERMUDA)

EXHIBIT J

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/136,552 Trademark: VIKING TOURS

Viking Range Corporation, Opposer,

Opposition No. 91201506

Opposer,

Consolidated Opposition No. 91201482 (parent

case

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Mark: VIKING TOURS

Viking River Cruises (Bermuda) Ltd., Applicant.

Serial No. 85/136,552

AMENDMENT OF APPLICATION WITH CONSENT AND CONDITIONAL AGREEMENT TO WITHDRAWAL OF OPPOSITION

Pursuant to 37 C.F.R. § 2.133 and T.B.M.P. § 514.02, Applicant, Viking River Cruises (Bermuda) Ltd., hereby amends the services in International Class 41 of the application as follows, by deleting the following text: "wine and food tastings." The entire description upon amendment should therefore read:

"Arranging, organizing and hosting social entertainment events; entertainment and education services in the nature of live dance and musical performances; entertainment information; entertainment services, namely, organizing and conducting parties, contests, stage shows, nightclub shows, variety and comedy shows, and theatrical productions and musicals; entertainment services, namely, casino gaming; educational services, namely, conducting lectures and seminars in the fields of music, theatre, and film; video arcade services; libraries; in-cabin interactive television programming; health club services, namely providing instruction, classes, and equipment in the field of physical exercise; organizing and hosting cultural and arts events; organization of exhibitions for cultural or educational purposes"

As reflected by the signature of Opposer's counsel below. Opposer consents to this amendment.

Applicant submits that the foregoing amendment does not add services to or broaden the scope of the services listed in the application, but instead narrows them. As such, neither republication of the mark nor further examination of the mark is required as a result of this amendment. Accordingly, Applicant respectfully requests that the Board approve the amendment without republication of the mark.

As reflected by the signature of Opposer's counsel below, Opposer hereby withdraws its opposition to the subject application, conditioned, however, on the acceptance and entry of the foregoing amendment or an amendment with substantially similar wording which is required by and acceptable to the Board.

WHEREFORE, Applicant and Opposer move that the subject application be amended as stated herein and that the opposition be dismissed with prejudice.

Respectfully submitted,

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Attorney for Opposer,

VIKING RANGE CORPORATION

Date 11/14/2012

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Attorney for Applicant,

VIKING RIVER CRUISES (BERMUDA)

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Date /1/65/ 8

EXHIBIT D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/133,747 Trademark: VIKING

Viking Range Corporation,

Opposition No. 91201495

Opposer,

Consolidated Opposition No. 91201482 (parent

case

ν.

Mark: VIKING

Viking River Cruises (Bermuda) Ltd., Applicant.

Serial No. 85/133,747

AMENDMENT OF APPLICATION WITH CONSENT AND CONDITIONAL AGREEMENT TO WITHDRAWAL OF OPPOSITION AND COUNTERCLAIM

Pursuant to 37 C.F.R. § 2.133 and T.B.M.P. § 514.02, Applicant, Viking River Cruises (Bermuda) Ltd., hereby amends the services in International Class 41 of the application as follows, by deleting the following text: "wine and food tastings." The entire description upon amendment should therefore read:

"Arranging, organizing and hosting social entertainment events; entertainment and education services in the nature of live dance and musical performances; entertainment information; entertainment services, namely, organizing and conducting parties, contests, live stage performances, namely, plays, concerts, piano recitals, vocal recitals, comedy shows, monologue performances, poetry and narrative readings, nightclub shows, namely, plays, concerts, piano recitals, vocal recitals, comedy shows, monologue performances, poetry and narrative readings, variety and comedy shows, and theatrical and musical floor shows provided at performance venues; entertainment services, namely, casino gaming; educational services, namely, conducting lectures and seminars in the fields of music, theatre, and film; video arcade services; libraries; provision of in-cabin interactive television programming; health club services, namely providing instruction, classes, and equipment in the field of physical exercise; organizing and hosting cultural and arts events; organization of exhibitions for cultural or educational purposes."

As reflected by the signature of Opposer's counsel below, Opposer consents to this amendment.

Applicant submits that the foregoing amendment does not add services to or broaden the scope of the services listed in the application, but instead narrows them. As such, neither republication of the mark nor further examination of the mark is required as a result of this amendment. Accordingly, Applicant respectfully requests that the Board approve the amendment without republication of the mark.

As reflected by the signature of Applicant's and Opposer's counsel below, Opposer hereby withdraws its opposition to the subject application and Applicant hereby withdraws its counterclaim for cancellation of U.S. Registration No. 3,326,880, conditioned, however, on the acceptance and entry of the foregoing amendment or an amendment with substantially similar wording which is required by and acceptable to the Board.

WHEREFORE, Applicant and Opposer move that the subject application be amended as stated herein and that the opposition and cancellation counterclaim be dismissed with prejudice.

Respectfully submitted,

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Attorney for Opposer, VIKING RANGE CORPORATION

Date 11/14/2012

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Attorney for Applicant,

VIKING RIVER CRUISES (BERMUDA)

EXHIBIT E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/136,726 Trademark: VIKING LEGEND

Viking Range Corporation,

Opposition No. 91201482

Opposer,

ν.

Consolidated Opposition No. 91201482 (parent

Mark: VIKING LEGEND

Viking River Cruises (Bermuda) Ltd., Applicant.

Serial No. 85/136,726

AMENDMENT OF APPLICATION WITH CONSENT AND CONDITIONAL AGREEMENT TO WITHDRAWAL OF OPPOSITION

Pursuant to 37 C.F.R. § 2.133 and T.B.M.P. § 514.02, Applicant, Viking River Cruises (Bermuda) Ltd., hereby amends the services in International Class 41 of the application as follows, by deleting the following text: "wine and food tastings" and "cooking classes, and". The entire description upon amendment should therefore read:

> "Arranging, organizing and hosting social entertainment events; entertainment and education services in the nature of live dance and musical performances; entertainment information; entertainment services, namely, organizing and conducting parties, contests, stage shows, nightclub shows, variety and comedy shows, and theatrical productions and musicals; entertainment services, namely, casino gaming; educational services, namely, conducting lectures and seminars in the fields of music, theatre, and film; video arcade services; libraries; in-cabin interactive television programming; health club services, namely, providing instruction, classes, and equipment in the field of physical exercise; organizing and hosting cultural and arts events; organization of exhibitions for cultural or educational purposes"

As reflected by the signature of Opposer's counsel below, Opposer consents to this amendment.

Applicant submits that the foregoing amendment does not add services to or broaden the scope of the services listed in the application, but instead narrows them. As such, neither republication of the mark nor further examination of the mark is required as a result of this amendment. Accordingly, Applicant respectfully requests that the Board approve the amendment without republication of the mark.

As reflected by the signature of Opposer's counsel below, Opposer hereby withdraws its opposition to the subject application, conditioned, however, on the acceptance and entry of the foregoing amendment or an amendment with substantially similar wording which is required by and acceptable to the Board.

WHEREFORE, Applicant and Opposer move that the subject application be amended as stated herein and that the opposition be dismissed with prejudice.

Respectfully submitted,

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Attorney for Opposer, VIKING RANGE CORPORATION

Date 11/14/20/2

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Attorney for Applicant,

VIKING RIVER CRUISES (BERMUDA)

Date 100 13, 2012